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SUPREME COURT OF THE UNITED STATES

MICHAEL LANE, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS, ET AL. *v.* JIMMIE ENOCH, MELVIN ENOCH AND ROBERT ENOCH

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

No. 85–539. Decided March 3, 1986

The motion of respondents for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari is denied.

JUSTICE WHITE, with whom THE CHIEF JUSTICE and JUSTICE REHNQUIST join, dissenting.

For the reasons I have twice before stated, *Smith* v. *Jago*, 105 S. Ct. 1777 (1985) (WHITE, J., dissenting), *Taliafero* v. *Maryland*, 461 U. S. 948 (1983) (WHITE, J., dissenting), I dissent from the Court's refusal to resolve the important question, which has divided the lower courts, of when, if ever, a State may exclude a defense witness on account of a criminal defendant's failure to comply with a discovery rule.